

Tetsuya KAGAWA, S.N. 09/881,402
Page 30

Dkt. No. 2271/65101

REMARKS

The application has been reviewed in light of the Office Action dated April 1, 2008. Claims 8, 9, 13, 14, 17, 19-21, 30, 31, 35, 36, 39, 41-43, 52, 53, 57, 58, 61, 63-65 and 82-108 are pending, with claims 1-7, 10-12, 15, 16, 18, 22-29, 32-34, 37, 38, 40, 44-51, 54-56, 59, 60, 62 and 66-81 having previously been canceled, without prejudice or disclaimer. By this Amendment, claims 8, 9, 13, 14, 17, 21, 30, 31, 35, 36, 39, 43, 52, 53, 57, 58, 61, 65 have been amended to clarify the claimed subject matter. Accordingly, claims 8, 9, 13, 14, 17, 19-21, 30, 31, 35, 36, 39, 41-43, 52, 53, 57, 58, 61, 63-65 and 82-108 are presented for reconsideration, with claims 8, 9, 13, 14, 17, 21, 30, 31, 35, 36, 39, 43, 52, 53, 57, 58, 61, 65, 82, 84-87, 89, 90, 92-95, 97, 98, 100-103 and 105 being in independent form.

Claims 82, 84, 90, 92, 98 and 100 were rejected under 35 U.S.C. § 102(e) as purportedly anticipated by U.S. Patent No. 6,940,615 (Shima '615). Claims 83, 91 and 99 were rejected under 35 U.S.C. §103(a) as purportedly unpatentable over Shima '615 in view of U.S. Patent No. 5,818,609 to Yamamuro. Claims 85, 86, 93, 94, 101 and 102 were rejected under 35 U.S.C. §103(a) as purportedly unpatentable over Shima '615 in view of U.S. Patent No. 6,816,911 (Toyoda '911). Claims 87, 88, 95, 96, 103 and 104 were rejected under 35 U.S.C. §103(a) as being purportedly unpatentable over Shima '615 in view of U.S. Patent No. 6,493,103 (Toyoda '103). Claims 89, 97 and 105 were rejected under 35 U.S.C. §103(a) as being purportedly unpatentable over Shima '615 in view of U.S. Patent No. 6,333,789 (Shima '789).

Claims 8, 9, 30, 31, 52, 53, and 107 were rejected under 35 U.S.C. §103(a) as purportedly unpatentable over Shima '615 in view of U.S. Patent No. 5,552,901 to Kikuchi et al. Claims 13, 14, 35, 36, 57 and 58 were rejected under 35 U.S.C. §103(a) as purportedly unpatentable over Shima '615 in view of Toyoda '911 and further in view of Kikuchi. Claims 17, 20, 39, 42, 61

Tetsuya KAGAWA, S.N. 09/881,402
Page 31

Dkt. No. 2271/65101

and 64 were rejected under 35 U.S.C. §103(a) as purportedly unpatentable over Shima '615 in view of Toyoda '103. Claims 19, 41 and 63 were rejected under 35 U.S.C. §103(a) as purportedly unpatentable over Shima '615 in view of Kikuchi and further in view of Yamamuro. Claims 21, 43 and 65 were rejected under 35 U.S.C. §103(a) as purportedly unpatentable over Shima '615 in view of Shima '789 and further in view of Kikuchi. Claim 106 was rejected under 35 U.S.C. §103(a) as purportedly unpatentable over Shima '615 in view of Kikuchi and further in view of U.S. Patent No. 6,801,341 to Joffe et al. Claim 108 was rejected under 35 U.S.C. §103(a) as purportedly unpatentable over Shima '615 in view of Kikuchi and further in view of Toyoda '911.

Shima '615, contrary to the contention in the Office Action, simply does not disclose or suggest notifying a sending communications machine of communications capability of a transfer communications machine at a beginning of communications of image information, which is one of features present in each of independent claims 8, 9, 13, 14, 17, 21, 30, 31, 35, 36, 39, 43, 52, 53, 57, 58, 61, 65, 82, 84-87, 89, 90, 92-95, 97, 98, 100-103 and 105 of the present application.

Shima '615 proposes setting up one or more separate communication sessions, at start-up, at regular intervals, or at a timing required by the host machine, specifically for the purpose of obtaining performance attributes information of the downstream printers from the network-compatible printer. Such separate communication sessions, do NOT involve communication of image information.

Shima '615, column 24, lines 13-34 (reproduced below), was cited in the Office Action as allegedly proposing notifying said sending communications machine of said communications capability at a beginning of communications.

... When all the printers have been examined, the network-compatible printer 51 sends to the host information including the performance attributes of all the

Tetsuya KAGAWA, S.N. 09/881,402
Page 32

Dkt. No. 2271/65101

printers of the printer group and the performance attributes of the network-compatible printer 51 (1103).

The examination processing may be performed, e.g., when the network-compatible printer is first connected to the host 54 or when the host 54 requires the network-compatible printer to report the performance attributes of the printers. Alternatively, the examination processing may be performed *when the network-compatible printer 51 starts up or when any of the downstream printers 52, 53, . . . n starts up after booting of the network-compatible printer 51*. Further, so long as the performance attributes of the downstream printers are examined and stored at regular intervals after the network-compatible printer 51 has started up, the result of such examination may be sent to the host 54 when the network-compatible printer is connected to the host 54 or when the host 54 requires the network-compatible printer 51 to report the performance attributes of the printers.

Thus, Shima '615 merely proposes that the performance attributes of all the printers of the printer group can be communicated by the network-compatible printer 51 either (i) when the network-compatible printer 51 starts up, or (ii) when any of the downstream printers 52, 53, . . . n starts up after booting of the network-compatible printer 51.

However, such communications do NOT involve communication of image information but rather are necessitated by the start up of a printer (such as a new printer or an updated or upgraded printer) in the system. It would have been understood by one skilled in the art that no communications of image information would have been performed at such start up.

Likewise, Shima '615, column 27, lines 4-11, and 46-54 and column 28, lines 12-25 (reproduced below) does not involve notifying a sending communications machine of communications capability of a transfer communications machine at a beginning of communications of image information.

Provided below is one specific example of request and performance attribute information exchanged among the host 54, the network-compatible printer 51, and the downstream network-incompatible printers 52, 53, . . . n.

First, there is provided below an example of a performance attribute notification request sent to the network-compatible printer 51 from the host 54.

...

Upon receipt of the foregoing request, the network-compatible printer 51 inquires about performance attributes of each of the downstream printers 52, 53, . . .

Tetsuya KAGAWA, S.N. 09/881,402
Page 33

Dkt. No. 2271/65101

n. The inquiry request is also written into the same statement as is the performance attribute notification request.

Upon collecting the performance attribute information from all the downstream printers, the network-compatible printer 51 notifies the host 54 of the thus-collected performance attribute information. The performance attribute information has the same format as that mentioned previously. In this case, after the following first declarative statement

@EJL ANSWER ALL RANGE<LF>, the RANGE statements received from the plurality of downstream printers may be sent to the host 54 while they are simply chained together in the order given, e.g., a RANGE statement described in the second and subsequent statements received from the first downstream printer, a RANGE statement described in the second and subsequent statements received from the second downstream printer, . . . Alternatively, the notification statements received from the plurality of downstream printers may be arranged and edited to thus prepare the following new RANGE statement, and the thus-prepared new RANGE statement may be sent to the host.

Upon receipt of such performance attribute information, the printer driver of the host 54 extracts titles of setting items and setting values from parameters of each RANGE statement, thus preparing a user interface screen such as that illustrated in FIG. 17. When a print request is input after the OK button on the user interface screen is pressed, print job data are sent to the network-compatible printer 51 from the host 54. Printer attributes included in the print job data are specified by the following statement:

@EJL SET RESOLUTION=600<LF>
@EJL SET PAINT=MONO<LF>
@EJL SET PAPER SIZE=A3<LF>

Thus, in the approach proposed by Shima '615, the host system can specifically request that the network-compatible printer provide performance attributes of the printer group. However, such request clearly is well in advance of communication of image information, because (1) in response to the request, the network-compatible printer must query the downstream printers and wait for replies from the queried printers, and (2) even after the performance attributes information is forwarded to the host, such information is processed by a printer driver of the host to present a user interface to a user at the host for selecting settings of a print job. Clearly, image information can be formatted and communicated only after (1) and (2)

Tetsuya KAGAWA, S.N. 09/881,402
Page 34

Dkt. No. 2271/65101

are complete. Further, it is noted that (2) need not be proximate in time after (1) is complete (that is, (2) may be hours, days, etc., after (1) is completed).

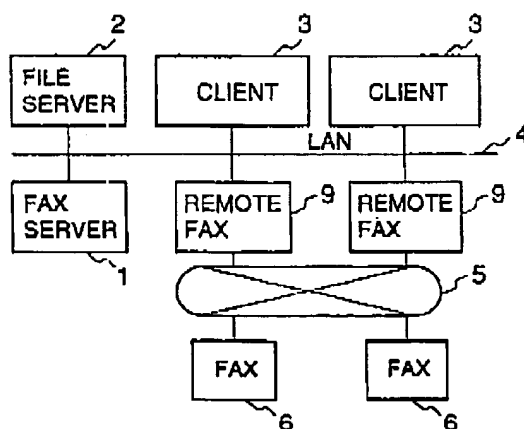
Accordingly, applicant submits that Shima '615 does not disclose or suggest notifying a sending communications machine of communications capability of a transfer communications machine at a beginning of communications of image information.

Likewise, the other cited references do not disclose or suggest such features.

Toyoda '911, Toyoda '103, Shima '789 and Yamamuro have been discussed previously in the record, and such discussions are incorporated herein.

Kikuchi, as understood by applicant, proposes a facsimile server system wherein a client (3) delivers document data to a FAX server (1), and makes a request for FAX transmission/printing, and the FAX server (1) expands the document data requested to be transmitted, into image data, transfers the image data to the appropriate remote FAX (9) and gives a command for the FAX transmission/printing. Kikuchi, Fig. 1, which was cited in the Office Action, is reproduced below:

FIG.1



However, Kikuchi, like the other cited references, does not disclose or suggest notifying a

Tetsuya KAGAWA, S.N. 09/881,402
Page 35

Dkt. No. 2271/65101

sending communications machine (3) of communications capability of a transfer communications machine (9) at a beginning of communications of image information.

Joffe, as understood by applicant, proposes a fax communication system for communicating fax information transmitted from a sending fax device to a fax recipient through a packet switching network, wherein the fax sending fax device modulates the fax information prior to transmission thereof, and an access server coupled between the sending fax device and the fax recipient (and within the packet switching network) receives the modulated fax information from the sending fax device and demodulates the received fax information.

However, applicant submits that the cited references, even when considered along with common sense and common knowledge, does not render unpatentable an approach for transferring image information received by a communications terminal apparatus, that includes notifying a sending communications machine of communications capability of a transfer communications machine at a beginning of communications of image information.

Accordingly, for at least the above-stated reasons, Applicant respectfully submits that independent claims 8, 9, 13, 14, 17, 21, 30, 31, 35, 36, 39, 43, 52, 53, 57, 58, 61, 65, 82, 84-87, 89, 90, 92-95, 97, 98, 100-103 and 105, and the claims depending therefrom, are patentable over the cited art.

In view of the remarks hereinabove, Applicant submits that the application is now in condition for allowance, and earnestly solicits the allowance of the application.

If a petition for an extension of time is required to make this response timely, this paper should be considered to be such a petition. The Patent Office is hereby authorized to charge any fees that may be required in connection with this amendment and to credit any overpayment to our Deposit Account No. 03-3125.

Tetsuya KAGAWA, S.N. 09/881,402
Page 36

Dkt. No. 2271/65101

If a telephone interview could advance the prosecution of this application, the Examiner is respectfully requested to call the undersigned attorney.

Respectfully submitted,



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